

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED ENTERED
LODGED RECEIVED

FEB 06 2001

AT BALTIMORE
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

CHICAGO TITLE INS. CO.,
Plaintiff

v.

CIVIL NO. AMD 00-3281

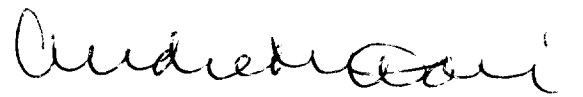
EILEEN P. DUNKLE, et al.,
Defendants

...o0o...

MEMORANDUM

The plaintiff, a title company, filed this diversity declaratory judgment action to seek resolution of a dispute with its insureds, owners of a parcel of real estate in Anne Arundel County. Although coverage under the title insurance policy is only \$28,000, plaintiff alleges that the \$75,000 amount in controversy requirement may be satisfied by the mere existence of a demand for relief under the policy from the insureds. This seems plainly to be wrong as a matter of law. *Cf. Kessler v. Home Life Ins. Co.*, 965 F.Supp. 11 (D.Md. 1997). In any event, in their motion to dismiss for lack of subject matter jurisdiction (which has not been opposed by plaintiff), defendants make a binding admission that the amount in controversy under the policy is \$28,000. The motion to dismiss shall be granted. An order follows.

Filed: February 6, 2001



ANDRÉ M. DAVIS
United States District Judge

